

**DECISION**



23414  
**THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D.C. 20548**

**FILE:** B-210135

**DATE:** January 10, 1983

**MATTER OF:** C.W. Girard, C.M.

**DIGEST:**

Protest against solicitation  
specifications received by GAO after the  
time set for bid opening is not timely.

C.W. Girard, C.M. (Girard), protests against specifications used by the Department of Justice in solicitation No. JL USA-83-B-0001. Bids were opened on December 9, 1982, at 2 p.m. GAO received the protest on December 10, 1982, at 12:30 p.m.

Our Bid Protest Procedures require that a protest based upon alleged improprieties in a solicitation which are apparent prior to bid opening be filed prior to bid opening. 4 C.F.R. § 21.2(b)(1). See Carrier Air Conditioning, B-208069, July 12, 1982, 82-2 CPD 46.

The specifications and any objections thereto were ascertainable from reading the solicitation prior to bid opening. Since the basis of the protest was apparent before bid opening, but filed after bid opening, it is untimely.

Accordingly, the protest is dismissed.

*Harry R. Van Cleve*

Harry R. Van Cleve  
Acting General Counsel

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